178 than they were in the past. These conditions reflect a change
423 in social and authority relations.

423 In the 'izba sector of al-Qasr, as of 1964, there were
432 two cases of land purchase. In one case, land was sold to an Egyptian, "an outsider" from the Nile Valley. This, of course, could only occur where such a transaction would be upheld by
423 the Egyptian government. Land ownership, when it involves registered land, is absolute. This, to a great extent, works
*[613] to lessen the influence of the lineage structure on property
423 relations. The law governing property, whether in traditional
178 or modern al-Qasr, reflects a set of social relationships.
571 When an individual can own property in the absolute sense, rather than with respect to his being a member of a group which enjoys sovereign rights of ownership, then, there has been a change in traditional corporate relations (Herskovits 1952:260). This has definitely been the case for most of
[184] al-Qasr, and it is adumbrated in the southern sector where a person's rights over land are nearly absolute. A comparison of land tenure patterns on the coast and in the southern
423 184 region reflect not only the contrast between methods of land use, but, also the fact that as land becomes valuable it becomes scarce and land holdings become fragmented (compare Figures 5 and 6).

•428 When the head of a household dies, his eldest son
596 inherits his authority, but all of the sons share equally in

428 the father's property. The egalitarian spirit of the Bedouin
596 inheritance rule functions to maintain the unity of the family, and, at another level of social complexity, the structural continuity of the corporate group. Ideally, the surviving sons will keep intact their father's estate, his land and animals, and will work it as a unit. And this is generally
596 the case in al-Qasr. On the other hand, there is also the
594 implicit assumption in the structural principle of the
613 Bedouin segmentary lineage system that each individual will
183 eventually establish a unit of his own, separate from but interrelated with, the main household. As a result, there
596 usually develops some division of property and labor among
593 surviving brothers. Whether or not this division is formally agreed upon, and, whether or not it is assigned by the father or the eldest son is largely arbitrary. In some cases, the father makes such a decision before his death and prepares his sons for it. The father's concern is that good relations be maintained between his sons after his death. Just as the father mediates conflict between his sons during his life, so he hopes to maintain peace between them after his death. The Bedouins say that a father should be fair when dealing with his sons, and that he should never favor one over the other.

428 Inheritance is determined through the patrilineal
[613] lineage principle. The Bedouins of al-Qasr claim that they

428 562 [423] The Bedouins of al-Qasr claim that they follow the Islamic laws of inheritance, in which case, a surviving daughter is entitled to one-half the share of a surviving son (Quran IV: 177). But, in only two cases did women own land in al-Qasr: one woman was the only close survivor of her father, and, the other woman was a widow without sons. In fact, my informant even admitted that these cases were exceptional, that the women were permitted to keep the land only because the brothers of the deceased men, who are the "rightful heirs" after the sons, did not want the land. The Bedouins insist, on the other hand, that a girl can claim her share of the inheritance: "It is her right." But she will never do such a thing "because she respects her brothers too much to accept the land which is offered to her."

428 When the father's estate is large, certain measures are taken to divide it between his sons. In some cases, the division may be somewhat complex and determined over a period of time. One example of this in al-Qasr involved a wealthy man whose own property was divisible into parts roughly corresponding to ecological subdivisions. The subdivisions of the estate became the shares of the sons, and could then be separated but remain symbiotically dependent. Ecological relationships affirm social relations. The following is an [159] account of inheritance rules in al-Qasr:

428
159

I am 45 years old and my eldest brother is 53 years old. I have two younger brothers. When my father died, we four sons inherited the property of our father jointly. I told my older brother to divide the land the way in which he wanted . . . My father had divided his land into four parts before he died. Each part was a separate "farm" so that a son could raise barley or olives, as he liked . . . But my brother told me to make the decision. As it turned out, my youngest brother was the first to make his choice of the four parts. He took his land but we still kept all of our sheep together. One year later, my older brother took his share of the land, but Jabril (the next to the youngest brother) and I remained together, and still remain together. Some men want to be on their own and others do not. Our eldest brother was the first to separate his animals from the collective herd . . . When the decisions were made to divide the land between us, we got the local "holy man" to go around the area with us and to witness the boundaries. This is done so that later if a brother changes his mind, or wants to take different land, the true borders will be known. We recorded them on paper and the "holy man" knows them . . . In matters of inheritance, all sons get equal shares, but in a case where there are ten camels and three sons, then, each gets three camels and the tenth goes to the eldest brother.

428
562
[431]
[583]

Any property which a female may own, if it is land or livestock, will go to her sons upon her death. In al-Qasr, such property will usually be sheep which a woman may accumulate through gift-giving. In one case, which is unique in al-Qasr, a woman received thirteen camels from her husband at the time of her wedding. (This was not the brideprice, for that goes to the bride's father.) At the time of her death her camels numbered seventy, and they were divided equally among her five sons. Concerning lesser items, such as clothing and jewelry, and also chickens, these are

428 562 [422] inherited by a woman's daughters. The carpets and the tent, which are woven by women, are not their property to pass on for they belong to the head of the household, the shaib.

596 177 178 Economic change in al-Qasr has had its impact at the level of production mode, and, also, it has affected the composition of the basic family structure. One informant, [124] who is now nineteen years old, remembers growing up in a household composed of his grandfather, father, father's brothers and their families. Since that time, his father has built another house away from the family home; one uncle has moved to Marsa Matruh and opened a shop there; his youngest uncle has built a house not far from the family home; and one uncle remains with his three wives in the original house. This fission-type process is not uncommon in a segmentary society, although as a traditional process, it represented a mechanism for dealing with ecological pressures. In the modern case, in al-Qasr, the process of fission in the Bedouin social structure proves to be an adaptive mechanism also: the fragmentation of lineage property and relations is a positive condition for the transition to a cash and market economy. Among most of the families of al-Qasr, as market orientation increases brothers begin to economically differentiate their tasks and interests with an eye to individual profits.

182 177 *613 433 434

595 One of my in-
124 formants, a wealthy man and a poet, said that since he could not love two women equally he would never take a second wife. He also said that he was unwilling to give his daughter to a man who refused to promise him that she would be his only wife.

593 Throughout his life, the father is dominant and his washuun is subjective. He is the master of his naja' and the
[596] social behavior of his wife and offspring toward him has both a moral and a pragmatic aspect. They show respect and obed-
[768] ience because "it is the decent thing to do;" further, just as he provides for their material needs while he is alive, so the property which he leaves them will sustain them after
•428 his death. As we have already noted, in theory, the daughters
[562] inherit one-half of the shares which the sons receive; in fact, females inherit only if they are the sole survivors of the male. But the surviving wife, or wives, will take a cash amount equal to their brideprice from the husband's estate. The Bedouins say that this price will be paid before any other inheritance shares are distributed. In addition, the
768 wife has the right to remain in her husband's house or tent, and it is the duty of the eldest son to look after her. She may remain at home until death, provided she never brings a man who may be considered a prospective husband into the house.

593 The rights and duties involved in the father-washuun relationship show that the ideal authority structure of the

582 171 and, the individual has been socially conditioned to prefer his father's brother's daughter.

582 183 All of these explanations are as plausible as they are obvious. They are, in fact, the same explanations which the Bedouins themselves offer for their marriage ideal. But one cannot help noticing that the explanations offered actually concern an ideal in Bedouin social behavior, and not a practice. Theories showing the logic of parallel-cousin marriage are placed along side the fact that this type of marriage is statistically atypical.

582 428 [671] If, as Islamic Law decrees, the daughter did inherit some share of her father's property, then parallel-cousin marriage as an attempt to keep land in the tertiary group would be logical. But we know that usually the sons inherit all of the father's property, Islamic Law to the contrary (Levy 1957:245-246). In this case, parallel-cousin marriage can only be seen as an ideal which functions side by side with the other ideal of a girl's right to inherit.

582 171 Barth (1954), and Murphy and Kasdan (1959) have stressed the political advantages which attach to parallel-cousin marriage in the context of factional struggle. The general idea is that political differentiation between collateral branches of the lineage structure is intensified and political autonomy enhanced by the practice of turning affinal bonds inward. Parallel-cousin marriage then has the opposite

*613 578 571 554 the Bedouins. Conflict regulation treats the expressions of social conflict and not its causes.

The 'aqila regulates conflict between the members of his tertiary segment, between this group and the other groups of the secondary unit, and between secondary units of the tribe. He operates in both the internal and external systems

*613 578 593 554 [596] of authority relations. The 'aqila may pre-empt the authority of the shaib in the sphere of familial authority, though the Bedouins say, this seldom happens because the son is willing to obey his father. Having been reared in the culture, and as a future father himself, the son supports the respect-discipline principle of Bedouin society. But in extreme cases,

*613 578 593 •428 554 such as the threat of a father to disown his son, the explicit approval of the 'aqila, and of all the 'awaaqil of the secondary corporate group, is necessary. This is the procedure in all cases of banishment. In one case (which I document below), a man disinherited his younger brother with the formal approval of his awaaqil.

*613 682 578 [181] [681] The tertiary group in Bedouin society is by definition the blood-vengence group. However, in view of the common values and pragmatic interests of its members, the secondary group fulfills this function. Traditionally, when revenge killings were carried out according to the lex talionis, it was usually at the hand of some member of the victim's tertiary group. In the case of protracted conflict, such as extended

000 order.

*613 554 666 The 'aqila is elected by the elders of the secondary lineage group. The election usually takes place when these men are gathered for some festive occasion, such as a wedding.

[578] The name of the man chosen to succeed to the political office will not be made public until it is absolutely necessary, i.e., in the case of conflict within the man's bait, or more especially, in the case where blood-money is due. According to the Bedouins, the only qualification for the office of 'aqila is wisdom--

*613 554 the ability to arbitrate disputes. On the other hand, it is implicit that the 'aqila be a member of the "status group."

556 Prestige commands respect and obedience, and prestige in al-Qasr usually comes with wealth. In general, the 'aqila is an elder, i.e., one with wisdom, and a member of a wealthy and influential family.

*613 554 Technically, the 'aqila-ship is not inherited, but succession tends in this direction. An 'aqila must "speak the

• [428] good and show men how to follow the path of the good." Not all men have the ability to do this, and, the Bedouins say, it is natural that such a great gift resides with a particular family "because the son learns from the father." All of the 'awaaqil in al-Qasr claim that they knew how to settle disputes before they became 'awaaqil. If they had not, they would not

[428] have been worthy of the office. Actually, the choice of an 'aqila is a restricted one: the office may pass, according to

*613 554 •428 [666] the unilineal rule, only to the son or the brother of the former 'aqila. In Bait 'Umar, for instance, the office went from father to son to brother (see Figure 8). The election amounts to a choice between the son or the brother, and partiality is usually shown towards the eldest of the two candidates.

The 'aqila's term of office may be terminated by the members of the bait. Such an action may be the result of *613 554 689 ineffectiveness due to old age, or it may stem from a violation of the norms of the office by the incumbent. Two cases of an 'aqila being impeached were reported to me. One, which did not take place in al-Qasr, was brought about when the 'aqila was accused of taking a bribe, and favoring one party to the conflict over the other. The second case, which happened about fifteen years ago in al-Qasr, involved an 'aqila from 'Ailit Ma'fas. This man informed Egyptian officials that his fellow tribesmen were storing guns and ammunition beyond the quantity permitted by national security laws. Not only was this man removed from his 'aqila-ship, but he was also expelled from his tertiary segment, and hence the tribe. But, in most *613 554 cases, term of office is ended by death or senility. The Bedouins say: "An 'aqila will be removed if he can no longer solve problems; if he says bad things about his tribe; if he is too old, or too lazy; in other terms, if he is not a good man, he is removed."

671 change in al-Qasr must proceed.

671 177 Bedouin law should be considered within its historical context, especially as it has reference to the Maliki school of Islamic Law. The Maliki school, or "rite," (madhhab) of law is considered to be the most conservative interpretation of the doctrine of the Prophet Muhammad. Therefore, the Maliki school is thought to reflect the society and tribal traditions of pre-Islamic Arabia more dependably than any of the other three schools of law. For instance, the Maliki school, in the domain of family law, stresses the importance and the primacy of agnate rights and claims. This is especially so in matters of inheritance: the law states that in the absence of agnate heirs the property of the deceased passes, not to female survivors but, to the central treasury of the State. This single legal aspect helps us to understand the Bedouin practice of disallowing the female to inherit and should be a consideration in any study of Bedouin succession rules.

671 177 428 [562]

175 671 177 Maliki Law was introduced into North Africa during the ninth century, and became the official legal doctrine of the Berber dynasties. It was first taught in this part of the world, probably, by Yahya ibn Yahya, a student of Malik ibn Anas, the founder of the school. Murray (1935:313) presents a valuable legal document from the Western Desert in which the name "Yahya" is frequently cited as the authority

175 671 177 for legal interpretation. For instance: "We are also told by Yahya that (the Caliph) Mu'awiya ibn Sufian said that a wound on the body should be assessed at half the value of that wound on the head or face" (1935:324). Maliki law, derived in large part from the Bedouin traditions of Arabia, may be seen to characterize the legal norms of the tribal-based social structure in the Western Desert. The Bedouins of al-Qasr themselves claim that they are within the bounds of Islamic Law when they deny the female the right to inherit, though they do have other, and more secular, justifications for the practice.

[428] [562]

671 182 648 As we have already noted, in the above quote from the "holy man" of al-Qasr, the Bedouins feel that the 'awaiyid can succeed where governmental law will fail. They say that "the government does not understand the problems of the Bedouins," that "government troops cannot function in the desert." They feel that they need the 'awaiyid for the sake of political order itself: "If the Bedouins did not have the 'awaiyid, they would eat each other. The 'awaiyid is so important that a man who commits a wrong in town will lie to the government, and then dutifully return to the tribe for Bedouin justice."

[656] In 1933, the government "abolished" the 'awaiyid and insisted that the Bedouins settle their difference in the civil courts in accord with Egyptian law. According to

634 to the 'umda. Both offices are for a life-term, only being
554 terminated by bad behavior or senility. At the expiration
634 of an incumbent's term, the "status group" meets in al-Qasr
571 to decide upon his replacement. The name of a "nominee"
635 is passed on to the Governor who is expected to approve the
666 Bedouins' selection of a representative to the government.
[178] It is this "status group"-controlled process which the
[177] Governor seeks to change. Since these are officially held offices in the U.A.R. governmental structure, he feels that elections to fill their vacancies should be a public affair. Naturally, he will exercise more influence over the naming of candidates in this way, and the Bedouins perceive this as a challenge to the traditional structure of leadership and control of external relations.

634 The offices of 'umda and shaikh are even more hereditary than that of 'aqila, which theoretically should not be
*613 the case. By definition, the role of 'aqila is functional at
666 the bait level, and so the recruitment pool of candidates
• [428] for this office is inherently limited. By comparison, the offices of 'umda and shaikh should go to the "best men" in the tribe, and, therefore, the recruitment pool should be
634 tribal-wide. But, in fact, these two offices are considered
*613 "the property" of the wealthiest lineages in the al-Qasr area.
666 There is a traditional rationale behind this fact: there is
428 the structural necessity for, and conscious practice of, an
[57[]

634 asymmetrical power relationship between commoners and "status
*613 group" which maintains political order. The Bedouins say of
666 the 'umda's office, as they did of the 'aqila, "if the son is
•428 worthy of the office, then he should take his father's place."
[571] Such a statement is usually qualified by noting that if the son does not possess the qualifications of the office, of course, he will not succeed. This is not simply a case of power politics, there is more to it. Behind the inheritance of the 'umda and shaikh office is a logical concern and attempt to sustain a balance of political and social relations.

The "inheritance" of the 'aqila's office is explained by showing that the candidates for the office are limited to the brothers and sons of the incumbent, the former 'aqila. The offices of 'umda and shaikh, in contrast, have a recruitment pool which includes, potentially, every man at the primary tribal level, the 'Aishaibat. The rule of succession, where the modern legal roles are concerned, is a mechanism for maintaining, what is considered by most Bedouins to be, the legitimate distribution of power in al-Qasr. Once the roles
634 of 'umda and shaikh have been "captured" by a bait, for
*613 political power resides at the tertiary level of the lineage
666 structure, any attempt to change the distribution or locus
428 of power will be culturally transformed into a threat to the
578 honor, not of the individual, but of his bait and 'aiela. And this is a basis for conflict in Bedouin society. It is

634 no coincidence, then, that the present 'umda and shaikh are
*613 the sons of the former 'umda and shaikh. This reveals not
666 only the structural rules of succession, but also indicates
• 428 that "social honor," and thus power, still resides with these
[578] families.

It is important to note that since the time of their
[178] inception, these roles have not changed 'aiela or even bait
in al-Qasr. When the former 'umda from 'Ailit Lazumi died,
634 his eldest son petitioned to the 'awaaqil of the 'Aishaibat
*613 that he be approved to succeed to his father's position.
666 The 'awaaqil met and made their decision. One 'aqila who
428 was present at the election said: "The office of 'umda should
571 stay in the Lazumi family since the father was 'umda. The
'awaaqil agreed on the son. But the son will be accepted to
follow his father only if he is good. If he is not good, the
'awaaqil will find a new bait." Although the Bedouins speak
of "the 'awaaqil" electing the 'umda, it must be remembered
that it is the "status group" which makes the decision, and
that the 'awaaqil are only part of this group. The names of
[627] the men who elected the present 'umda include less 'awaaqil
and more rajal khair.

114 Before I arrived in the field, the present acting
634 'umda of the 'Aishaibat tribe was elected to the national
666 parliament to represent the province of Marsa Matruh. The
election of his replacement was not scheduled to take place

613 individuals. He settles disputes among them and represents them in their
[627] disputes with outsiders. He is also the spokesman of his Bait in all matters involving the relationship of the Bait with the other tribal seg-
[682] ments. He is responsible for the collection of the bloodmoney from members of his Bait and has the authority to confiscate property of individual members who refuse to pay their share. When a member is financially unable to pay his share, the Aqila is expected to pay for him and collect at a later time when the member is in a position to make such payment.

613 Originally the position of the Aqila was a hereditary one with the
428 position passing from father to son. However, in recent years the rigid-
178 ity of the patrilineal descent as the basis of succession to the position of the Aqila has been modified radically and other principles of selec-
613 tion have been introduced. The working of the principles underlying the
128 selection of the Aqila will be analyzed in detail in the following chapter through the close examination of one of the major legal cases which occurred during my stay in the area.

613 Thus each Bait is a division of one of the Eilas and this has its
[423] place in the formal tribal system. It constitutes a group with definite usufruct rights to land and a formally recognized leadership.

621 But the actual residential units in which Awlad Ali live are not
[613] baits but parts of them in the form of separate camps or "nagei". The camps constitute the primary communities of Awlad Ali. A camp consists
[594] of a number of tents ranging from four to twelve. Each tent is usually occupied by one nuclear family of a husband, his wife and children. In
[595] cases of polygynous marriages, each wife usually occupies one tent with
[361] her children. Each camp is separated from the next one by a distance which ranges from two to ten kilometers.

156 [685] [439] equipment from the government projects and from smuggling sheep and merchandise across the Libyan border. Although some of these stories might be exaggerated, they all point to the fact that Hakim, despite his wealth, is not the most popular or reputable individual in bait Asabei', and that although Shei'eb is not a popular individual either, he definitely comes up the winner in any popularity contest between the two. The question is 156 why Hakim was selected by the Awaqil to replace Shei'eb. The case in- 613 volved more than Shei'eb's inability to collect the money from members of 558 his bait. Shei'eb's ineffectiveness seemed to have been taken as an ex- 682 683 cuse rather than as the direct cause. Many Aqaqil, before Shei'eb, had failed in collecting money from their own bait without being subject to direct challenge. What seems to be involved is more than a challenge to a particular member, Shei'eb. It is a challenge to the whole principle by which Shei'eb acquired his position as Aqila of bait Asabei': patrilineal succession.

156 Shei'eb is the youngest of four sons of the former Aqila of bait 159 Asabei', Sheikh Elewa. For more than fifty years Sheikh Elewa was the 613 undisputed Aqila of bait Asabei'. He also had considerable influence 463 among other tribal segments throughout the whole of the Western Desert 683 554 by virtue of his position as "nazzar", that is, the expert who assesses the amount of compensation for wound inflicted in a liable case. The [428] position of nazzar is a hereditary one and had been handed down from [779] father to son. The basis for his assessment of wounds are a number of old books believed to be obtained from Mecca and contain all the judgments of famous Islamic leaders in their assessments of wounds.

[428] Eleven years ago when Sheikh Elewa became blind and too old to

156 exercise his functions, he invited all the important people in the area
159 into a large gathering during which he announced that he was handing the
613 sacred books to Shei'eb, who was to become the nazzar and also to succeed
463 him as the Aqila of bait Asabei'. Although at that time Shei'eb was
683 fairly young, twenty-six, nobody questioned Sheikh Elewa's decision.
554 "He is the Aqila," said one informant, "and he has the right to decide
428 which of his sons is to succeed him. After all, he knows his sons better
[379] than anybody else and knows which one is best for the job." Most people
156 thought that Sheikh Elewa, being still alive and with clear thinking,
159 would help Shei'eb in performing his duties as Aqila. A few months after
613 Shei'eb took over his father's position, it became apparent that he was
554 too immature for the job. He tried to use his position to take money
578 from members of his bait and when they refused to give him any money, he
[661] entered into fights with a number of them. Rumors spread that he took bribes from the disputing parties who came to him for him to assess the legal compensation for wounds to raise or lower his estimate. But still people within bait Asabei' as well as outside it respected Sheikh Elewa's decision and did not challenge Shei'eb openly. But as time passed the dissatisfaction with Shei'eb grew. This dissatisfaction came mainly from members of the Amar who were affected directly by Shei'eb's actions, especially those actions which resulted in the payment of compensation for wounds inflicted in fights.

PHASE II

439 On the evening of May 16, 1966, two members of the Geneishat tribe of Matruh area came to Burg-el-Arab with a large shipment of smuggled cigarettes to leave with their partner in the area, Hadi, from the

613 554 157 428 556 In performing his functions within the bait, personal qualities such as wisdom, soundness of ideas, personal persuasiveness are of importance. But the main basis of his authority is patrilineal succession. The Aqila has no economic power to speak of. Although many aqila are among the wealthiest members of their baits, many more are among its poorest. The nature of the economic process and the pastoral life of Awlad Ali is such that the economic position of the individual is always flucuating. Nor does the Aqila have any military power at his disposal, or any command of the use of force to back his decisions or to make them binding upon members of his bait. The main source of compliance to the Aqila's 428 decisions comes from the knowledge that the Aqila has the authority to make such decisions and that he has acquired this authority through the legitimate channel of patrilineal succession.

613 428 562 619 Where membership in formal groups is transmitted by descent, Awlad Ali always choose the patriline. The son of Awlad Ali is regarded as Awlad Ali even though his mother might not be from the tribe, while a woman who marries outside the tribe transmits no rights in the tribe to her children. The importance of agnatic kin is reinforced by an solidary of brothers which is extended laterally to patrilateral cousins. It is also shown in the fact that sons are favored in inheritance usually to the exclusion of daughters. The male line is viewed by Awlad Ali as the natural principle when it comes to anything which is inheritable, whether property or position. In an attempt to defend Shei'eb's position and his right to be the Aqila, one informant told me: "The main purpose that a man has in life is to have sons because it is the son who makes the man live forever. Daughters don't count. A man gives his son

613 everything ... his property, his name, and anything he can give him, like
• 428 the position of the Aqila. This is only natural." While the office of
[562] the Aqila is inherited through the male line, there seems to be no special regard for seniority. Any son of the Aqila can succeed him in the position and it is usually left to the Aqila to select the son who is to
613 succeed him. This decision is not usually the subject matter of brother-
428 ly rivalry since the position of Aqila is regarded more as a duty than
593 as a privilege. There has been only one case in the entire area of the Western Desert in which such a decision has lead to open fighting between brothers. "When my father became very old and his eyes bothered him, he told me that I should become the Aqila and could not say no to him," said Shei'eb. "I didn't want to become the Aqila but this was the choice of my father and I have to obey .... You owe it to your father and family to carry on his responsibilities the same way you carry his name." It was patrilineal succession upon which Shei'eb based his case. Most uninterested parties believe that he and he alone had the legitimate claim to the position.

613 The importance of patrilineal succession as the basis of the Aqila'a
627 authority may be better understood by contrasting it to a closely related
554 position, that of the "mardi". A man within a bait may acquire, by virtue of personal qualities, a reputation for wisdom and soundness of opinion which may overshadow that of the Aqila. Such a person becomes known throughout a certain area as a successful mediator and go-between; and therefore is called upon to solve disputes not limited to members of his own bait. He thus acquires an informal position which cuts across a number of baits and sometimes larger political units.

613 627 554 [192] The word mardi is derived from the Arabic verb "yardi" which means to accept or agree upon. The mardi therefore is the person who is accepted by one or both parties to a dispute as a mediator. If he is accepted by only one of the parties, his work is more that of a legal representative of that party. He makes all efforts, using all powers of persuasion to get the other party to concede to the demands of the party he represents. If, on the other hand, he is chosed by both parties to a dispute, he acts as an impartial judge and avoids taking sides in the case. His fame is determined by his ability to achieve permanent, long-lasting settlements. His success in this area depends, in addition to personal qualities, upon the respect he has within his own tribal segment and the weight that tribal segment has among other tribal segments. Similarly, his success and the fame he gets as a mardi may give him considerable influence within the bait. But this influence does not develop [182] [428] into authority because the mardi in this case does not have an established basis for the effective maintenance of that authority, in this case, patrilineal succession.

613 554 682 The other domain within which the Aqila performs his duties is that of the Eila or the amar. His main function within this area is to represent his bait in matters involving the collection or the distribution of bloodmoney within the vengeance group. Within the amar, the aqila is considered successful insofar as he is able to fulfill his bait's financial obligations to the amar. This ability is in turn determined by his success in collecting money from individual members of his bait and/or his willingness to pay from his own money for those members who are unable or unwilling to pay their share. Where kinship ties are strong, the Aqila

613 554 [166] [464] 428 198 166 464 561 369 613 198 554 [556]

position as the leader of the bait. The principle of patrilineal succession is so respected in such baits that it overshadows any other consideration. This continues to be the case as long as the kinship ties within the bait remain strong. When the kinship ties in a given bait weaken, the principle of patrilineal succession also weakens. This is more likely to occur in baits where a relatively large number of the members leave the area permanently or for a more or less prolonged period of time, seeking jobs on a part or a full-time basis. Many of these members maintain only a minimal contact with their respective baits. They become more reluctant to fulfill their kinship obligations, especially when they entail any financial liability. The older members complain about how younger persons are less loyal to their elders and how selfish they have become. "All they care about is their jobs and the pleasure they get from the city; they are becoming city people." Younger members, on the other hand, maintain that their reluctance to fulfill their kinship obligations stems from their feeling that they do not get anything in return. "Life is expensive and money is hard to obtain. I cannot make enough money to support myself and my wife and children and at the same time pay my cousin's financial debts," said a member of eilat Asabei', who works as a driver with the Desert Organization in Alexandria.

When this happens, there seems to be a tendency toward shifting the emphasis from the bait to the eila or the amar as the source of the political support of the Aqila. This is turn makes wealth an important basis of the Aqila's power. No more can the bait impose an ineffective Aqila on the amar unless it is ready to back him by their own share of money. If this is lacking as was the case with Shei'eb, there is nothing

His success in solving disputes between members of his baits and outsiders might enhance his prestige within the bait, but it is not a substitute for patrilineal succession as the basis of the Aqila's authority. But in less integrated baits the situation is different. The ineffectiveness of the Aqila in solving disputes may lead members of his bait to seek another man as their representative who would act as a mediator in their behalf. If this continues for a long time the Aqila might find himself with no functions and the new person would become a de facto Aqila.

The Aqila represents the only effective indigenous form of leadership among Awlad Ali at the present time. The camp headman provides another form of leadership on the camp level, but, as mentioned before, the leadership of the headman is very limited and involves minimal authority. In addition to the indigenous leadership represented by the Aqila, there is the superimposed administrative structure of the government representative in the form of the "omda" system introduced into the area by the government decree no. 1187 of 1958. The system of omda or mayorship is essentially that applied to the rural areas of Egypt with certain modifications to fit the tribal organization and the semi-nomadic existence of the populations of the Western Desert. In rural areas, the omda is the administrative head of the village. He is appointed by the government from among the village inhabitants who have certain qualifications with regard to education (must be able at least to read and write), wealth (own at least 5 feddans of land in the area), and sound reputation. As such, the omda system in the rural areas is a territorial system. The omda's authority covers the territory of the village and all individuals living in it regardless of their kinship affiliation.

586 562 women in the Western Desert, and that the women usually have no difficulty in finding another husband.

586 562 593 768 While the right of "throwing herself" offers the wife some guarantee of her rights, her main guarantee is derived from the security she gets from retaining membership in her father's family. After the death of the father, the woman's claims extend to the households of her brothers. She acquires in them the same rights she had in her father's household, and the brothers take the responsibility of their father in protecting and defending their sister. The woman achieves this continuation of support partially through forfeiting her rights of inheritance to her brothers. [428]

562 428 [779] Awlad Ali recognize the right of the daughters to inherit in their father's estate. They accept the system of inheritance specified in the Koran which gives the woman half the share of her brother. In practice, this is usually side-stepped. Only sons inherit their father's property. [233] [311] The justification given for the non-inheritance of women is that the main items of inheritance in the Western Desert, livestock and the right of land use, require certain protection and care which are beyond the culturally defined roles of women. Livestock require moving from one grazing ground to another, almost always crossing tribal lands belonging to various tribal segments, some of whom might be hostile. It also requires the ability to protect the herds from predators and from raids, especially in earlier times. Similarly, land requires preparation and protection against trespassers, especially when the barley is growing. 733 562 428

562 428 593 Women, however, are supposed to be compensated by their brothers for their shares. But very few would actually ask their brothers for

such compensation. In forfeiting her rights of inheritance, a woman secures for herself and her children the continuous support of her kin-group and the protection of her rights. This support was denied in the few cases I was able to collect in which the woman demanded her share of inheritance. The following is one of these cases. The material presented is a summary of the life history of Fatma, who at the time of the study, was a shopkeeper managing the small general store she owned near the railroad station of Burg el-Arab, some fifty miles west of Alexandria. She also practiced healing and midwifery on a part-time basis.

Fatma was the only daughter with four sons of sheikh El-Asi, who at one time was the aqila of bait Hussein of the Sanagrah tribal segment in the area. He was also known as a mardi and was frequently sought in mediation of disputes. He was believed to have supernatural power which he used to cure people for a certain amount of money. During his lifetime, he had acquired a sizable sum of money which he invested in livestock. At the time of his death his herd, which numbered more than 900 sheep and goats, was considered the finest in the area. He had no barley lands because his camp was deep in the desert, but he had fine grazing land.

Throughout the area the four sons were known for being arrogant and irresponsible. Three of them were employed by one of the irrigation projects carried on by the government in the area as construction workers; the fourth looked after the herd of his father. All four were known as chasers of women, and they frequently went to Alexandria to visit prostitutes and drink liquor.

Fatma was first married when she was eighteen to a man from Alexandria who had opened a general store in the area where her father

159 562 428 593 444 lived. Five years ago the husband died in a mining accident leaving Fatma with a ten-month-old boy. By that time, her father had been disabled, and her brothers wanted to manage her husband's store on her behalf. Knowing that her brothers were greedy, she refused and insisted that she take care of the store herself. The brothers objected on the grounds that it was not customary for a decent woman to be exposed to the customers in the store. When she insisted, the brothers threatened her. When the threats did not work, they beat her. After that, she [625] went to the police station in the area, filed a complaint against her brothers, and asked for police protection. The police officer in charge brought the brothers in and warned them that if they interfered with the store, not only would he arrest them, but he would also use his influence to get them forced from the irrigation projects where three of them worked. The threat worked, and they became friendly with their sister, buying things for the store whenever they went to Alexandria and sometimes helping in the store with her consent when she was on housecalls as a midwife. A year later Fatma was married for the second time to a 159 562 428 593 233 [587] distant cousin; a few months later her father died. In a family meeting that followed the funeral, Fatma made her announcement that she was claiming her share of her father's herd. The brothers were angry and tried to beat her. But the older members of the bait who were present at the meeting stopped them and told them that Fatma had all the right to claim her share of the inheritance according to Awlad Ali ways and that there was [578] nothing that they could do about it. She was characterized in that meeting as "bint haram" (illegitimate child), an insult used to refer to those who show selfishness in their kinship obligations. When she left the camp with her share of the herd, this seemed to have severed

159 the relationship between her and her brothers.
562
428 Following her action and until the time of the study, they had
593 never visited her and she had never visited them. Her husband took
[237] care of the herd; and the arrangement worked out all right until the
159 husband told Fatma one day that he was going to marry a second wife.
562
593 She refused, but he went ahead with the marriage without her consent.
595 He brought the new wife to live with Fatma in the same tin hut in which they were living. He started to pay more attention to the new wife and to neglect Fatma; whenever the latter complained, he beat her. Then, before one of the religious feasts, he sold two of Fatma's sheep and bought his new wife a dress and a silver bracelet. When Fatma objected
[164] and they argued, he hit her with a stick on the head; she was hospitalized for a week with a serious head wound. While in the hospital, she went to her brothers who lived only two miles away, but they refused to
159 come to her assistance. She then went to sheikh Elewa (the aqila of
562 Bait Asabei) and threw herself on him. He met with the husband and con-
574 vinced him to divorce Fatma. He kept forty sheep of Fatma's herd as com-
593 pensation for the mahr he had paid her and the marriage expenses, then
595 took his new wife and moved from Fatma's hut. Fatma then returned and
586 managed her financial affairs successfully herself. She managed the
159 store and hired a shepherd to take care of the sheep. At the time of
562 the present study she was respected by almost everybody in the area, in-
444 cluding members of the local administration. She is known to be reason-
[233] able and of sound opinion, and her store functions as the meeting place
[529] for many of the tribal mi'ads and for casual conversations. She is also
[521] considered as a liason between the tribal population in the area and the local government administration, and is respected by both sides.

159
156
562 This apparently is not a typical case, nor is Fatma by any means representative of a typical tribal women. It is a case of a marginal woman who had revolted against the tribal definition of a female role. She violated the customary ways of her society and claimed her share of her father's inheritance; and by doing this, she forfeited her right to protection by her brothers. She was able to do this because of her marginality which enabled her to draw upon sources of protection outside the tribal pattern, the police. It is interesting to note here that by doing so, she was not totally eliminated or ostracized from her society; rather, her role was redefined as that of a man, and she was treated as such.

682 and unjustifiable homicide. To examine responsibility in homicide
672 among Awlad Ali and their definition of "intentional" and "non-
673 intentional" killing, let us first present some of the cases collected from the area.

CASE #1: The Case of the Broken Rope

682
672
312
[184]
[428]

This is one of the classical cases which is told throughout the entire area. There is some slight variation in the way it is told, but all accounts refer to the fact that Hemeida from the 'Esheibat tribe inherited the right to use a large area of tribal land in which there was an old Roman well not used for a long period of time and which was full of sand. One day he invited the swaqil of his tribal segment, as well as his neighbors, to consult them on how to clear the well, since without it the land was almost useless. They all decided it was a good idea and offered their help. On the day the well was to be cleared, they all gathered around the well. Among those present was Do'ah, a poor member of the 'Esheibat tribe who worked as a paid shepherd for Hemeida. He was watching from a distance when Hemeida called upon him to give a hand. The well, like all Roman wells in the area, is about fifty feet deep and fifteen feet in diameter, and narrows as one goes down the well. To be cleared, someone has to be lowered by a rope to the bottom of the well to dig up the sand. Hemeida's cousin, Ali, agreed to go down, and the gathering looked for a sturdy rope which they found at one of Hemeida's neighbors. As the group was tying Ali to the rope, Hemeida suggested that Ali was too heavy for the rope and that it would be a good idea if a slimmer man did the job. At this point, everybody looked at Do'ah, since he was the thinnest

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi

opportunity to worship in a mosque, and that by charity to their lodges they might earn recompense hereafter.

Each lodge had its Shaikh, who represented the Head of the Order. He arbitrated between the Bedouin, led the tribesmen to holy war, acted as intermediary between the tribe or section and the Turkish administration, dispensed hospitality to travellers, supervised the collection of tithe, directed cultivation of grain and care of stock, dispatched surplus revenues to the Headquarters of the Order, acted as prayer-leader on Fridays, and assisted in preaching and teaching. There were besides a number of other functionaries among the Brothers: the Shaikh's deputy, the *imam* to lead the daily prayers and to teach the Koran and canon law, the *mu'allim* to teach reading, writing, and arithmetic in the zawiya school, and perhaps a special *muadhdhin* to call the faithful to prayer, though any of the Brothers could do that.

V

In principle, as we have noted, the lands attached to lodges belonged, like the lodges themselves, to the Order, and more particularly to the lodge to which they were donated, and not to any particular individual or family. In practice certain Shaikhly families tended to gain an hereditary interest in them. What happened in the early days of the Order was that a Shaikh was sent by its Head to found a lodge and when it was established he was translated to a fresh missionary field. Shaikhs of lodges were in this way moved fairly frequently at first, but it later became the practice to leave a Shaikh in charge till his death and then to nominate his successor from among his kinsmen, with the approval of the tribe and on the advice of Shaikhs of neighbouring lodges. What mostly seems to have happened was that the tribal sections concerned asked for a son or brother of the last Shaikh to be appointed director of their lodge and the Head of the Order confirmed their choice. As one Darsi tribesman put it: 'The Shaikh of our zawiya must be a man favoured by the hearts of the people.' In course of time the tendency for the Shaikhship of a lodge to be regarded as hereditary became very marked, it being understood that if there was a suitable candidate from the family already established in the lodge he would be appointed, a view with which the later Heads of the

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi

Order concurred. Thus we find charge of a zawiya continuing in the hands of a single family to the point at which Muhammad Yahiya bin al-Sanusi bin 'Umar al-Ashhab was appointed by Sayyid Ahmad al-Sharif to succeed his father as Shaikh of Msus at the age of sixteen. Some of these families sent their roots so deep that not only did they obtain what amounted to hereditary rights to a particular lodge, but controlled several lodges. Such were the influential families of Ghumari, Kalili, Farkash, and Ashhab, and the Khattabi families.

Hence we find to-day that many of the lodges are in hereditary charge of a family of Shaikhs who consider that they have a pre-emptive claim to its directorship and to enjoyment of its revenues, a claim backed by tribal opinion and by the acquiescence of the present Head of the Order. Thus the Dardafi family may be said to own the Shahhat lodge, the Isma'ili family to own the Fayidiya lodge, the 'Ammur family to own the Qafanta lodge, and so on. So much is this the case that disputes now sometimes arise, as in 1942 at Qafanta and Mirad Mas'ud, between members of a family about which of its members should succeed to the directorship of a lodge and control of its revenues.

This development is not surprising. Poor communications and the troubled times since 1911 have encouraged local autonomy in the Sanusiya organization. The Shaikh of a lodge brought up his family in it and his sons had no other home than the lodge and no other friends than the Bedouin around it and the families of Shaikhs in nearby lodges. Tribesmen dislike change and prefer to have for the Shaikhs of their lodges members of families they know and who share their local interests. But the tendency towards hereditary succession is also related to the fundamental lineage structure of the tribes among whom the lodges are distributed, for it is noticeable that whereas hereditary succession became customary in the Bedouin, or tribal, lodges, it has been by comparison lacking in the urban lodges of Banghazi and Darna and in those oases where tribal structure has become obscured by village life. This would seem to suggest that *Ikhwan* families tend the more easily to become stabilized as lines of hereditary Shaikhs the more closely they are associated with tribal structure. It is precisely in the most powerful, numerous, and integrated tribal sections that we

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi

find hereditary transmission of Shaikhship of lodges most accentuated, such as the Bara'asa-Tamia section (al-Zawiya al-Baida), the 'Awaqir-Sdaidi section (Msus zawiya), and the 'Abaidat-Ghaith section (Tart zawiya). In the same way the earlier Marabouts became, as has been noted, founders of lineages which were on the pattern of the branches of the Bedouin clans among whom they lived, and attached to them.

Also it must be remembered that the lodges were tribal institutions built by the local Bedouin so that they might participate in the *baraka* of Sayyid Muhammad bin 'Ali al-Sanusi. They participated in it through the Shaikhs of their zawiyas who received their *baraka* direct from the hands of the Grand Sanusi himself, or from the hands of son Sayyid al-Mahdi, and passed it on to their sons. This *baraka* belonged to the tribe, or tribal section, which built a lodge just as the *shaukha*, the secular Shaikhship of the tribe, or tribal section, belonged to it and had to be kept in it. In both the continuity of family succession had to be maintained, unless there were good reasons for acting otherwise. Thus each tribal section emphasized its autonomy in its hereditary line of religious Shaikhs, through whom the *baraka* of the founder of the Order was transmitted to them, whilst proclaiming its membership of a tribal federation with common allegiance to the Head of the Order.

As I have pointed out when speaking of the sacred *Marabtin* tribes of Cyrenaica, it was customary for the descendants of a Marabout to reside near his tomb. I have further mentioned that the Shaikh of a Sanusiya lodge, who is also called a *Marabat* by the Bedouin, might, if he had during life a reputation for piety, rather easily gained in Islam, be venerated as a saint when he was dead and his tomb become a shrine. This is another reason why Shaikhly families have tended to become hereditary directors of lodges.

Just as almost all the Marabouts of Cyrenaica were foreigners from the west, so were almost all the Shaikhs of the Sanusiya lodges. The Dardafi and Isma'ili families came from Tripolitania, the Ghumari family from Morocco, the 'Ammur, Bu Jibali, and Khattab families came from Algeria, and so on. As a class they enjoyed, and still enjoy, a reputation for sanctity among the Bedouin on account of their knowledge of the Koran

4: Peters E-5 (1948-1950) 1970 MT9 Libyan Bedouin MT9
Cyrenaica

Fusion of names appears in another context and for similar reasons. Not only are lineal descendants given the name of deceased ancestors, but a man may be given the name of any deceased agnate of his tertiary section. Usually, this is only done when a man passes on property to another who is not his direct heir. Commonly, this occurs when an agnate is also a mother's brother, as often happens as a result of parallel cousin marriage, and this mother's brother has no sons of his own. If he has a sister's son, who is also his paternal nephew, he is likely to pass on his wealth to this nephew. A father, the Bedouin insist, ought to perform three duties for his sons: attend to their circumcision, and their education in the Koran, and provide bride-wealth when they marry. All fathers attend to the circumcision of all their sons; few provide for the Koranic education of any of their sons; most bear the burden of marrying off at least one of their sons. The performance of the latter duty is what makes the continuance of the deceased's name an obligation, and whoever performs this duty must have his name perpetuated in one male offspring of the union which was brought about with his wealth. Wealth need not take the form of bride-wealth; it can be a legacy willed by a father, maternal uncle of the kind described above, or any other agnate who has died without male issue. Conversely, if a man dies without leaving any property, even his sons might not perpetuate his name, and eventually it will drop out of the genealogy.[10] There are instances of men inheriting the wealth of a number of agnates, using each parcel of wealth to make a new marriage and naming the sons of the various unions after the several dead who had left wealth. The example given below is taken from the genealogy of the Dawwas section of the Magharba tribe. What happened here was that the two lines stemming from Faraj and Sha'aban, after proliferating normally, became extinct. As this happened, Ibrahim, the son of Miftah, began to inherit wealth to which he was not a direct heir; and

[10] To avoid confusion, it ought to be made clear that this is not ghost marriage. As I understand ghost marriages from Evans-Pritchard's (1951) account, two main conditions must be satisfied: (i) that there should be inherited wealth to make a marriage, and (ii) that the wealth remaining after the ghost marriage has been made is inherited by the ghost children only. In Cyrenaica, wealth thus inherited becomes part of a man's total wealth and is not reserved for a ghost marriage and its issue.

4: Peters E-5 (1948-1950) 1970 MT9 Libyan Bedouin MT9
Cyrenaica

as he did so, he entered into a plurality of marriages, begat sons, and replaced those men in the genealogy who had died without heirs. In the following generation the twin process of death and replacement continued. Death removed all the male descendants of Sha'aban and Faraj, and of Ibrahim Bu Miftah's many sons only two, Sharif and Abdallah, were of age to marry at the time of my visits to their camp. Both had enjoyed a plurality of wives, although still young to have done so, and each marriage they contracted took place after the death of one of their kinsmen. The full and intricate details of this interesting genealogy are irrelevant here, since all the example is intended to show is how nine of eleven male names were perpetuated in the genealogy by repeating five of them twice and four of them three times, accounting in all for twenty-two names; and to do this, three men (one of them had died, but the other two were both under forty years of age) married eight wives. All the names in the two lines which have died out have not yet been brought back into the genealogy, but 'Abdallah, the son of Ibrahim, who had already done extremely well in this respect, was confident that soon the obligations towards Musa, Abd al-Rahim, and Sa'ad would be redeemed.

Thus the fusion of names not only ensures that names threatened with extinction are perpetuated, but that one person, in the name he bears, can carry the genealogical burden of several other men of that name.

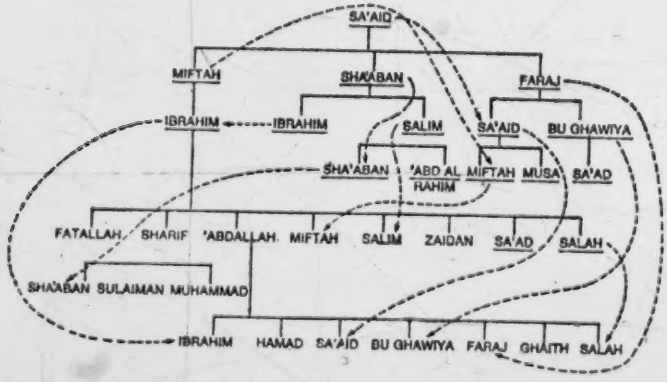

FIG. 18-2 GENEALOGY 2. The names of dead men are underlined.

4: Peters E-5 (1948-1950) 1970 MT9 Libyan Bedouin MT9
Cyrenaica

613 578 602 his maternal kinsmen to use the land and water facilities of his lineage; his agnates may give ready consent or bicker about it, but when it becomes necessary to clean a well, disputes are almost certain to break out in the camp between those who argue that their maternal relatives should not be expected to assist in its cleaning and those who insist they should as an acknowledgement of the use they have made of it. In these circumstances 613 602 maternal links divide agnates. Conversely, if it becomes necessary for some of the same men to use the water and ploughland of their maternal kin, their agnates are only too pleased that they are able to do so, because the pressure on their own resources is relieved. In these circumstances, the maternal link strengthens the agnatic group. When, to give another instance, 613 682 blood-money has to be gathered, it is the duty of all agnates to contribute equally, and no member of the group, rich or poor, can contract out of this obligation without sacrificing his membership of the group. Payments of blood-money are witness of the strength of the notion of 'oneness' among agnates, in one sense, but in so far as they are compulsory, they point also to the weakness in the relationship. Maternal kin are not directly concerned in this, but they can and do make contributions. In this context two aspects of agnation appear, and the value of the 602 maternal link is emphasized. Again, maternal kinsmen are not 428 directly concerned in inheritance disputes, but they are expected 578 to intercede for their sister's sons, who often use their mother's brother's tribal brand on their own animals. During disputes of this kind, blame is thrown on to the maternal kinsmen for their interference in matters which, properly speaking, are not their 613 business. In marriage, however, events take quite a different 582 turn. The responsibility for providing a man with a wife is first that of the father, and secondly of the members of the tertiary section; the father takes the initiative, and his agnates assist, not only in the negotiations, but also in defraying the heavy costs of the wedding festivities, the various gifts that precede it, and the 604 bride-wealth which follows. The mother's brother is also a key 613 person in all these arrangements. He enters into the negotiations, 585 assists with the entertainment on the wedding day, and makes a [583] substantial contribution to the bride-wealth. On the wedding day, there is no kinsman to compare with the mother's brother; a few

593 613 tegral part of "the one body"; events which affect a man in this context lie outside a father's field of jurisdiction. The political authority vested in a corporation acts to circumscribe the authority of persons in other fields.

Other rights stem from political membership. As a person with a defined position in a lineage corporation, a man has the right to use the natural resources of its territory. His father, although he instructs his son where to plough and when to water the animals, cannot deny him access to wells, pastures and ploughland. Economically, a son is independent to this extent, although his ability to exploit his right to the natural resources is restricted by his father's control of animals. Ultimately, however, this restriction cannot amount to stultification, because a man has the right to 613 422 735 demand food. In practice, a poor man staves off hunger with donations from this or that individual, and superficially it appears that he is dependent on the personal charity of his fellowmen. This is not so, for what is implicit is that the parcels of wealth controlled by individuals are the possessions of the corporation. It is not accidental that poor people do not go hungry. During my entire stay among the Bedouin I never saw one of them beg or [556] suffer hunger, however marginal the diet of many. Clearly, those with a surplus can and do use it for personal advantage, but the extent to which they can do so is circumscribed by the legal claims which members of a corporation have on the parcels of moveable property held by each of them.

613 421 •428 [562] [593] Control over the wealth, whether it be animals or the procreative functions of women, rests, in the final analysis, in a corporation. Inheritance laws specify that women are not legal heirs,[8] and that all male children are equal heirs. Women do, in fact, come to control property, and it is rare that wealth is equally divided among male heirs. The precise details of inheritance may partly be decided by a father, but he is limited in his actions. Most of the time inheritance disputes are not of the kind which require action by the corporate group; a case which occured while I was resident with the Bedouin did, however, invoke immediate action. A man, who had left the desert to live in a village on the plateau, had only one daughter. He made it known that he intended to will his entire property to his daughter. When the news was brought to the camps of his fellow agnates, there was great consternation, because, as became clear in their lengthy discussions, the threat now existed that a substantial parcel of property would be removed from the group, a threat made real by the proposed marriage of the daughter [584] to a man of another tribe. The court would have to recognise the daughter's right to some of the property, and the members of the group reluctantly had to concede that there was little they could do about this, but they had one [593] action left to them — they decided that her nearest agnate should demand [584] her in marriage. Usually, the choice of husband for a daughter is a decision

[771] [795] [671] [8] The Bedouin are Sunni Muslims, and, as Samusi, belong to the Maliki school in legal matters. According to court law, women are heirs. However, actual Bedouin practice is contrary to law. For, if women were permitted to inherit, since many marry outside the corporation into which they were born, they could alienate its resources.

her father takes, but in certain critical situations he can be relieved of choice if the interests of the group as a whole are at stake.

Political authority is the preserve of a corporation, and its exercise leads to invasion of a man's authority in the field of domestic relations. This does not mean, however, that discrete areas of authority do not remain with the father. In the tent his authority over his son is so overwhelming as to keep the son in almost complete subordination. The son is referred to as a slave, and in daily life he has to behave as one. He must obey every command, for, were he to rebel, he would find little or no support among his agnates, whatever the extent of the provocation. Retreat from his father is hardly an alternative, since, while his father is alive, he has no animals of his own, and to leave camp would only mean that he would have to move outside his group to seek employment elsewhere as a shepherd. If he did this he would forfeit status, and almost certainly cut himself off from property which would fall to him after his father's death. A man who "denies" his father looses too many privileges for the practice to become widespread.

Caught in this dilemma, a son's predicament is worsened by the fact that he cannot initiate marriage negotiations — to be able to do so requires some animals to offer a girl's father. Through his mother's brother he has the means of bringing pressure to bear on his father, but the latter can resist for years. Finally, a marriage is arranged for him. It is difficult to convey the yearning of young Bedouin for marriage. They discuss it among themselves *ad nauseam*. For the most part their talk is about the sexual aspect of marriage. Premarital sex relations are strictly controlled, and the movements of each young girl are carefully guarded because, if on the day of her marriage the test shows that she is not a virgin, she not only brings disgrace to her family, but the marriage may be revoked and her worth as a bride for another man seriously diminished. Nevertheless premarital relations do occur, if not between youths and maidens to any extent, between young men and married women.

The question still remains: why is marriage the occasion of such ebullient celebration? The formal authority a father exercises over his son changes little on marriage. Economically the son is still harnessed to the father. The latter still shouts his orders at him, and obedience remains unaltered. Any sign of an independent view on a matter is met with a gruff rebuff. If the marriage turns out to be disagreeable to the father, he has the authority — if not always the power — to break it. Marriage does not mean a change in the general mode of behaviour between the two; the legal relations remain unaltered, albeit modified in practice, as the married son matures in age. But marriage does mean the acquisition of rights and status previously denied a son. Henceforward, he has a domain of his own. This is high drama, indeed, for although every effort is made to give substance to the expressed view that "nothing has happened," for the first time in his life the son has seized publicly, amid the jubilations of his fellows, a status which hitherto was the possession of the father.

582 of agnation on the members of a corporate group and give it a taproot of
583 diversity whence it derives its strength, and which makes of it "the one body,"
613 conspicuous, in comparison with other societies, as the corporate group
602 *par excellence*.

The Sister's Son-Mother's Brother Relationship

128 Previously the mode of relationships associated with agnation and affinity have been briefly discussed. In order to appreciate the effects of parallel-cousin marriage, some remarks concerning the sister's son-mother's brother
604 set of relationships must be included here. Bedouin contrast the mother's
[174] brother with the father's brother; their sayings and proverbs afford a wealth of verbal documentation on the contrast. With the mother's brother a man enjoys all the freedoms he is denied in his relationships with his father
[831] and father's brother. He is permitted to joke with him; they indulge in exchanges of obscenities. When the sister's son wishes to marry, he is permitted to discuss the matter with his mother's brother and can urge him to intercede with his father on his behalf. Two men thus related are readily recognised in the camps, because in their acts they are required to show affection by displays of innocent horseplay, pranks or mild practical jokes. Small boys pursue their mother's brother, feign to kick or strike him, and he takes it all in good part.

The external aspects of this behaviour is deceptive. Joking of this sort creates the image in which the relationships are conceived; what is equally striking in it is its compulsiveness. Obviously, mature men are not always in the mood to be teased, but if they are, they must respond appropriately. Their relationships are unmistakably onerous. This remark applies not only to the external forms of their behaviour, but also to the favours a man is
[602] permitted to ask of his mother's brother. A brief amplification will make the point clear. Demands can be made of agnates, but only in situations of serious contingency. Day-to-day needs are met, not by appeals to the rights of agnation, but from the expectations linked to the mother's brother. If these expectations are withheld, the sister's son may be left in a quandary. In-
604 terestingly, in the records of homicides I gathered, three (in the con-
682 temporary population) were concerned with the killings of mother's brothers by sister's sons. Homicide within this field of relationship is difficult to comprehend unless it is appreciated that expectations are as compulsive in the daily life and the general well-being of people as are the rights and duties associated with agnation.

604 These general remarks apply to the relationships irrespective of the lineage
613 origin of the mother's brother. The similarity ends there, since the nature of the expectations, their urgency at any given moment and the kind of favours which are granted vary with the group identity of the mother's
• [428] brother. A mother's brother who is a member of ego's corporate group may be expected to give the sister's son small quantities of flour, favour him in all

sorts of petty ways, listen to his grumbles about his agnates, interfere on his behalf in petty camp quarrels, shield him from the disciplinarian father and guard his property interests against the predatory father's brother; if the mother's brother dies without heirs, the sister's son can reasonably expect at least a share of his wealth. When the mother's brother is a member of a different corporate group, a sister's son cannot possibly expect to inherit from him in any circumstance.

The mother's brother may reside in a camp too distant to be much effective direct help in day-to-day living. His relative remoteness gives the relationship other possible opportunities, however. Rainfall in the semi-desert area of Cyrenaica is highly variable, both from year to year, and from place to place in any given year. As a result this shallow saucer of a depression may have sufficient rain to supply both the water needs of animals and crops, while an area a few miles distant will have inadequate water supplies for either. The mother's brother-sister's son link can mean water for animals and a crop of barley for both when, in successive years, the resources of one area or the other are inadequate.

The differences in the relations between men and their mother's brother do not end with a characterisation of their antipodal forms. The demographic structure of a group may be such that one man may have a number of mother's brothers, another only one; one man may have to share with several brothers, another may be an only son. Complications of this sort determine the precise relationships between men, but however intricate these may be, each corporate group has its matrilateral links with a group occupying a slightly different ecological area, and it also has a plurality of matrilateral connections within it. Further, if a direct connection is not available to any particular individual he can use an indirect link (e.g. father's mother's brother or mother's mother's brother) to satisfy his needs.

The Preference for Males

Thus far, the family and the social matrix in which it is embedded has been discussed in general terms, most particularly in reference to several selected sets of relationships. I wish now to place these relationships in a more specific setting with a brief discussion of the composition of a small camp of a group inhabiting the arid areas of central Cyrenaica. When the Bedouin give their views on the structure of the family in Cyrenaica they speak of it as consisting of a pair of spouses and about ten children, mainly males. The emphasis on males is not mere sentiment, overwhelmingly though it favours them against females. Additional males in a family increase the productive possibilities of a family in the sense that more herdsmen become available and larger ploughing commitments can be undertaken; an increase in the number of females has small effect on production since they are precluded from any direct participation in these activities. Both sexes, ranging in age from about seven years to mature adulthood, are necessary if a family

6: Peters E-5 (1948-1950) 1965 MT9 Libyan Bedouin MT9
Cyrenaica

would be impossible to satisfy all marriage expectations of men within the universe of the minimal tribal section. For this reason alone external links are inevitable and persistent. Also, the small territorial strip such a group claims as a homeland produces an economy which, in this environment, is unstable. Additional security is gained by making connections with other tribal sections, each with its specific ecological character. Men also marry into their client groups. The proportion of these for this camp was 9 per cent of the total. From these links they gain economic advantages, they can claim services and a client-following is politically significant. Finally, 7 per cent of the total[13] are marriages with women of other tribes, which again not only reduces the instability of the economy (in that a large tribal area suffering near-famine conditions has access to areas of markedly different ecology), but also provides political connections for men whose power ambitions have passed the point of leadership limited to their own tribes. In one way or another all these interests are manifest in the small camp and attention is now directed to the latter.

The disposition of people in the camp is represented diagrammatically on the page following.

The nucleus of the camp is Tent A. Its owner (1) was a powerful *Shaikh*, the son of a famous father. His marriage represents a political link with a group of one of the primary sections of his own tribe. His father died only a few years before I recorded my census, and the large amount of moveable property he left had still not been divided among the sons; the owner of the tent, as eldest brother, still controlled the flocks and herds. Most of his time he spent away from the camp engaging in political intrigue. His two younger brothers lived in his tent, but the second (5) would not remain there long because negotiations for his marriage had been started. His father (2) married a parallel cousin; she died and shortly afterwards he took her sister (3) in sororal union. When this occurred an amount of bride-wealth was agreed, but instead of giving any of it to her father, the entire amount was "put in front of her" (that is, the animals were allowed to remain with her husband's flock), and these animals she had marked with her brother's tribal sign to distinguish them from those of her husband. It was widely known that she was going to leave these animals to her husband's second son, for although she could not transfer them to a male outside her husband's corporate group, she could decide who, among his heirs, should inherit.

During my stay in this camp, her brother's son (4) came to it as a temporary resident for a month. Since he was poor, the purpose of his visit was to capture some of his aunt's wealth while she was still alive and the possibility still existed. During his stay he was fed well but did no work. His kinsmen found his company tiresome, so, to cut short his stay, and after consulting her nominated heir (5), she gave him three grown goats. Also when an occasion arose for an animal slaughter, she provided the sheep, and,

[13] The remainder is made up of marriages to the daughters of men incorporated into the lineages.

621 592 571 [574]

the lavish generosity dispensed by the members of Tent A, and fed far better than would have been possible otherwise.

The location of Tent C was also determined by a link through women. The only female (8) living in this tent, a middle-aged widow, was the sister of (3) and (6) of Tents A and B respectively. Her teenage son lived with her. They possessed only a few sheep, which were put with the flock of Tent A for shepherding. The son (9) spent some of his time herding for Tent A. With the mother and her son in Tent C were two other kinsmen. One, a poor man (10), was this son's first patrilateral cousin, and they both were the only surviving sons of their respective fathers. He (10) was the main shepherd of Tent A. The third male (11), also poor and nearly blind, was a second patrilateral cousin of both, but his sister was also 11's mother. All occupants of Tent C were almost entirely supported by Tent A. Relieved of the necessity to live off their own resources, the two young men (9 and 10) were afforded the opportunity of building up their flocks for the day when they would be able to negotiate their delayed marriages.

621 613 592 571

Tents A, B and C sheltered men who were agnatically closely linked. More important, their grandfathers, three sons in a family of 19 children, were full brothers. The latter's mother's name was used when referring to these three tents as a group. During the past few years, many changes have occurred within it, and the death of the pivotal woman (3) of Tent A might well disperse this small cluster. Further, the nuptials of her heir (5) were anticipated, and this event, itself likely to precipitate division of his father's (2) wealth, might also lead to further residential rearrangements.

621 592 604 578 [582] [428] [583]

The owner of Tent D, (12), a man in his late thirties, son of a slave mother, was at loggerheads with his father's brother, much more senior in age. The owner's father, one of a family of 24 children, had been a wealthy man and died leaving a substantial herd and a large flock, but he (12) was bereft of most of this wealth by the father's brother. His first successful strike against his uncle was the demand he made for his daughter as a wife. Earlier, when (12) had demanded his father's wealth, his father's brother, who had for years acted as his guardian, replied, "It is in your stomach," (meaning that it had been expended on his upbringing). Later, after the marriage had taken place, when the uncle demanded payment of the bride-wealth his own words were thrown back at him, but this time with the meaning that the bride-wealth had already been paid. While I was resident in this area, the two men met occasionally: each meeting was hostile, for (12) was encouraging his half-brother (13) (also the son of a slave mother) to demand a second daughter as a wife. Included in this tent is a third adult male (14), virtually a pauper, reduced to this state by the same grasping father's brother. His link with (12) was their closeness of relationship (first paternal cousin), together with the fact that all three males (12, 13 and 14) had suffered privations and were allies against the common enemy, their father's brother.

[571]

Associated with them for the same reason, was the owner of Tent E (15).

Cases

621 592 578 [604] [428] [593] Genealogically he was their father's brother, but he was of their same age generation, and behaved as if he was their agnatic equal. Towards his own brother (16), he behaved as if the latter was his uncle, for he was much his junior in age and his uncle had virtually brought him up from boyhood. They had quarrelled bitterly because his brother (16) had given him only a fraction of his inheritance, which he himself, in turn, should have shared with his young full brother (not shown on the diagram) but he did not do so. This youngest brother left (15) for this reason and now resides with (16), his full brother's enemy. Two of the men (14 and 13) of this group of four were the chief herdsmen of the camp, although they were assisted for short periods by (12) and (15), who also helped tend the camels in other ways. Their connection with the group centered on Tent A was a mutual close link to a politically powerful person (not shown on the genealogies) to whom they are deeply loyal and who, while I was among them, was actively opposed to the common political enemy of them all (16), and who in earlier years had challenged the leadership of (2) of Tent A. There is also the fact that they were all linked within a close range of agnation. This linkage included, too, the owner of Tent F (17), not in fact the descendant of the man shown in the diagram — he was the son of a slave wife; his genitor was a slave, but his mother's master reared him, freed him and he is now given as his son in the genealogy. He lives with his wife, of client origin, together with her children from a previous husband, (18), who divorced her, and his own children. Aging, he no longer acted as a regular herdsmen, but relieved other men in the camp, and also spent some time shepherding.

621 571 The details given of the strands which run through the camp to tie these particular people together are so few that, like the Bedouin plough, they do no more than scratch the surface, but they are sufficient to permit a few general statements. The camp, and particularly the precise disposition of its tents, shows a group of males clustered together to share two of the main economic tasks: shepherding and herding. The physically strong adult males of Tents D and E shoulder the burden of herding all the camels of the camp, and the men of Tents B, A and C shepherd all the sheep, with (17) of Tent F serving both purposes. This number of men allows some to remain in the camp at all times, to free one of them for a journey to the distant market when supplies of sugar and tea are necessary, and to enable one or two men, at short notice, to hurry away on horse or camel to search for lost animals.[14]

621 574 231 262 43 [556] **Economic Determinants of the General Structure of the Camp**

It is also clear from these details that, given the disparities in wealth (although all men have some wealth), the diet of most is considerably

[14] There is little point in seeking the lost animals themselves in the first instance. A man travels from camp to camp asking for information, and when he has gathered his clues, he searches a neighbourhood.